

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

TIARA C. CABLE)	
)	
Plaintiff,)	
)	Case No.
v.)	13-13031
)	
STELLAR RECOVERY, INC.)	
)	
Defendant.)	
)	

DEFENDANT'S NOTICE OF REMOVAL

TO THE HONORABLE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF MICHIGAN:

Pursuant to 28 U.S.C. §§ 1331 and 1441 *et seq.*, and 47 U.S.C. § 227 and 15 U.S.C. § 1692, Defendant Stellar Recovery, Inc., hereby gives notice of removal of this cause of action, under the caption *Tiara C. Cable v Stellar Recovery, Inc.*, from the District of 41a Judicial District, State of Michigan ("State Court Action") to the United States District Court for the Eastern District of Michigan. In support of removal, Defendant Stellar Recovery, Inc. ("Defendant"), by and through its attorneys, states as follows:

1. On or about June 26, 2013, Defendant received a copy of Plaintiff's Complaint. Copies of all process, pleadings and orders served upon Defendant in this action are attached hereto as **Exhibit A**.
2. In accordance with 28 U.S.C. § 1446(b), this Notice of Removal is timely because it is filed within 30 days after Defendant's receipt of the Complaint.
3. Plaintiff's Complaint purports to set forth a cause of action under the Fair Debt Collection Practices Act, 15 U.S.C. § 1692, the Michigan Collection Practices Act, and the Michigan Occupational Code.
4. This action may be removed by Defendant pursuant to 28 U.S.C. § 1441(b) because the claim for violation of the Fair Debt Collection Practices Act presents a federal question and this Court has original federal question jurisdiction

as set forth in 28 U.S.C. § 1331. This Court has supplemental jurisdiction over the claims under the Michigan statutes pursuant to 28 U.S.C. § 1367, because the state claims arise out of the same facts and conduct as the federal question.

5. Concurrent with the filing of this Notice of Removal, written notice of its filing is being served pursuant to 28 U.S.C. § 1446(d) upon Plaintiff's counsel, and a true and accurate copy of this Notice of Removal is also being filed with the Clerk of the District of 41a Judicial District, State of Michigan, as required.

6. By filing this Notice of Removal, Defendant does not make any admission of fact, law or liability, and expressly reserves all defenses and motions otherwise available to it.

WHEREFORE, Defendant requests that further proceedings in the District of 41A Judicial District, State of Michigan be discontinued and that this action be removed in its entirety to the United States District Court for the Eastern District of Michigan, which will then assume full jurisdiction over this cause of action.

Respectfully submitted,

/s/ Steven Siman
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Dated: July 17, 2013

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing was mailed this 17th day of July, 2013, first class postage prepaid to:

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Dated: July 17, 2013